

Kansas Board of Cosmetology

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The mission of the Kansas Board of Cosmetology is to protect the health and safety of the consuming public by licensing qualified individuals and enforcing high standards of practice.

Board Members

Leslie Miller, Chair, Lawrence
Sandra Gasser, Gardner
Rogene Handlon, Topeka
Stephen Hudson, Independence
Sharon Pearson, Liberal
Janet Reynolds, Salina
Robert J. Werne Jr., Wichita



Please reproduce and distribute this newsletter as you wish. We encourage salon owners to post the newsletter so other practitioners may review the information contained in this issue.

Change of Address. Call the Board office with your change of address. This will ensure that you continue to timely receive the practitioner renewal notice and exam.



Health and Sanitation Seminars. Do you and the practitioners in your salon maintain high standards of practice? Having an understanding and appreciation of the health and sanitation procedures enhances everyone's practice.



To ensure compliance with all health and sanitation regulations the Board conducts health and sanitation review seminars.

These sessions can be scheduled to accommodate a varied number of attendees. For instance, a session can be held for a salon and its practitioners or a session may be held for all licensees within a county. (For a county-wide session, the Board sends seminar notices.)

There is no charge for these sessions. Each session is approximately two hours and is scheduled at a mutually convenient time and location. Hand-outs are provided.

If interested, please contact this office at once.



Standards of Practice. National and local news media continue to focus on the sanitary conditions of salons. The practitioner's periodic review of the health and sanitation regulations is a necessary and professional responsibility. Please note the following:

- *One use/disposable tool and supplies* such as emery boards, files, orangewood sticks, pumice stones, nail bits, toe separators, nail buffers and other related items must be discarded after use on the client. The regulation, K.A.R. 28-24-9, does not permit the practitioner to store implements for reuse on the same client.
- *Instruments used on a client* and not yet disinfected must be kept in a marked labeled container. This practice prevents used instruments from being left on the workstation and possibly used on another client. Please reference K.A.R. 28-24-10.
- *Footbaths must be cleaned with soap and water and disinfected after each use with an EPA-registered, hospital grade disinfectant.* It is also necessary that the screen be detached and disinfected after each use.

The Inspection Process. In addition to verifying current valid licensure for the facilities and practitioners, inspectors check for proper sanitation methods. Oftentimes, brushes, combs, shears, nail instruments and other implements are not properly stored nor disinfected.

All salons must be equipped with a covered container, large enough for complete immersion of the implements in an EPA registered hospital-grade disinfectant.

The initial step in sanitizing an implement is to remove any debris. (For instance, remove any hair from a comb or brush.) Clean the implement with soap and water – rinse thoroughly. Thereafter completely immerse all implements, including metal instruments, in the EPA registered hospital grade disinfectant.

For implements that have come in contact with bodily fluids, (such as blood) the implements must be disinfected in an EPA registered hospital grade tuberculocidal disinfectant.

After cleansing and disinfecting the implements they must be stored in a clean, closed cabinet or container which is appropriately labeled. **Always store these disinfected items separately.** This ensures that the practitioner (and salon) complies with the regulation requiring the practitioner to use a clean disinfected implement for each client.

Although instruments may be labeled as "washable/sanitizable" it is necessary that these items be disinfected if used on more than one client. However, many of these labeled instruments cannot be disinfected effectively.

Please reference K.A.R. 28-24-9, 28-24-10 and 28-24-11.

✕	Number of cosmetology salons	3,332
✕	Number of nail technology salons	240
✕	Number of esthetic salons	26
✕	Number of electrology clinics	25

Total number of salons for the cosmetology professions - 3,623
96% of these facilities were inspected in 2001.



Inspection Violations. This past year the Kansas Board of Cosmetology inspected 96% of the total number of licensed salons in the cosmetology professions. The most frequent violations are unlicensed practice and improper sanitation.

Legal disciplinary action is taken for unlicensed practice. The Board issues a \$500 fine against the salon per unlicensed violation. Should there be more than one unlicensed individual providing a cosmetology service the fine becomes very costly.



With recent legislative action, the unlicensed individual will also be issued a fine. Should the individual later attain licensure, the license may be issued on a limited or conditional basis.

Salons having repeated and habitual violations for unlicensed practice may be assessed the maximum \$1,000 fine per violation. If necessary the salon license may also be revoked.

The cosmetology laws, health and sanitation rules and regulations are necessary to protect the public and the practitioner. High standards of practice convey professionalism. The Board and the inspectors assure that these standards are met on a daily basis. These efforts assist you as you maintain safe and professional services.

When Can I Work? An individual may not provide cosmetology, nail technology or esthetic services unless they have successfully completed both portions of the Board licensure exam and have been issued a license.

The license must also be posted at the individuals workstation within easy view of the general public.

An individual who has made licensure application but has not yet taken the licensure exams may be issued a temporary permit. Again, the individual may not provide services until they have received the temporary permit. It must also be posted at the practitioners workstation within easy view of the general public.

Should an individual fail either part of the exam, they are prohibited from providing services until they attain licensure. Providing services will subject the salon owner and the unlicensed individual to legal action involving the assessment of a fine and possible conditioning/limiting the license.

Although individuals may be licensed in another state they are not permitted to provide any cosmetology related service until they have been issued a Kansas license. Disregard of the law may incur a fine and other legal action against the salon and the individual.

Salon owners are encouraged to contact the Board office to check the licensure status of any prospective employee or booth rent lessee.

Total revenue collected for assessed fines in 2001	\$54,000*
Number of salons and individuals assessed fines in 2001	155
Number of salon and practitioner licenses revoked in 2001	8

*All fine revenue is forwarded to the state general fund. Fine revenue may not be retained by the Kansas Board of Cosmetology.

Legislative Changes. During the recent legislative session several changes were made to the cosmetology law. You may review this legislation by accessing the Kansas state government website at www.accessKansas.org. Review these revisions in House Substitute for Senate Bill 643 which becomes effective July 1. The legislative revisions will be included in new law booklets provided with the practitioner renewal exam.

Revisions include but are not limited to the following:

- The scope of practice for cosmetology, nail technology and esthetics practice has been revised;
- A provision is included defining instructor-in-training and outlines licensure criteria for instructor-in-training;
- Manicurists, estheticians and electrologists may provide services in the client’s home or place of business if the practitioner/licensee provides services for at least 51% of the work week in a licensed salon; (an affidavit must be filed with the Board office to provide services);
- Cosmetology students may take the written portion of the Board licensure exam at the conclusion of 1,000 instructional clock/credit hours;
- Criteria for granting out-of-state licensure was revised;
- Enforcement provisions permit the Board to issue cease and desist or injunctive relief orders. Violations of the law may incur fines or a charge of a class C misdemeanor.

Board Membership. At the Board’s initiative the law regarding membership was changed whereby licensed manicurists and estheticians may be appointed to serve on the Board. Previously, the cosmetology professions were only represented on the Board by licensed cosmetologists.

The law becomes effective on July 1st. The Board membership shall consist of:

- two individuals representing the general public;
- three licensees representing the cosmetology professions (cosmetology, esthetics and nail technology);
- one licensee representing the tanning industry;
- one licensee representing the tattoo, body piercing and permanent cosmetic professions;
- one individual representing the cosmetology schools.

The Board’s regulatory responsibility is to protect the health and safety of the consuming public and promote high standards of professional practice. If you are interested in a Board appointment send a cover letter and resume to: *Judy Krueger, Deputy Chief of Staff, Office of the Governor, State Capitol, Second Floor, Topeka, Kansas 66612-1590.*



Ear Piercing. Many cosmetology salons offer ear piercing services. The law permits piercing the earlobe only.

9-11. A number of cosmetology salons honored those who tragically died on September 11th. On a given day, salons collected and donated to charitable organizations who were assisting families affected by the tragedy. A note of appreciation is sent to salons and practitioners who participated in these endeavors.

Terry Binns Skincare Salon, Prairie Village received media recognition for donations to the Red Cross.

Salon Compliance. After an inspection is completed, the salon owner may receive a remedial action letter. This letter – a Board order – is only sent as the result of violations during the inspection. The salon is in non-compliance status.

The salon owner is required to address and correct all recorded violations. Furthermore the owner is required to complete and return the affidavit enclosed with the letter. By doing so the salon owner is notifying the Board that the salon is now in compliance status.

The Board takes any violation seriously. Therefore it is imperative that the corrective action be taken and the affidavit be returned within the 15 day timeframe outlined in the letter.



Once the completed affidavit is received in the Board office it is added to the salon file. Should habitual violations continue to occur, further disciplinary action may be necessary.

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| ▪ Remedial action letters issued to salons in 2001 | 1,309 |
| ▪ Remedial action affidavits returned denoting compliance | 1,132 |
| ▪ Salon owners failing to return the remedial affidavit | 177 |

Study Committees. The cosmetology professions are ever changing and new advances in client services are evolving. Over the next year the Board will examine various new services and determine whether or not offering these services are within the scope of practice and in the best interest of the consuming public.

The first service being reviewed is microdermabrasion. Is microdermabrasion prohibited by K.A.R. 28-24-14 (7)?

For the protection of the consumer, some services may need to be defined. Should you be interested in assisting the Board, please submit a short letter of interest. Your interest and input is encouraged.

Suggestions Welcome. If there are items you would like to see addressed in this newsletter, please forward your suggestion to one of the addresses listed on the front of this newsletter.

Board Staff

Mary Lou Davis, Executive Director

Cherie Daniels	Secretary to the Board (inspections, disciplinary action)
Mary Lou Cheray	Part time clerical
Denise Conley	Individual renewal licensure
Jennifer Dahlstrom	Law clerk
LeAnna Hickman	In state licensure & exams
Betty Laws	Accounting
Linda Nelson*	Out-of-state licensure & exams
Melba Raine	Part time clerical

Inspectors

Ava Fiene*	Val Hawn*
Rosemary Longfellow*	Sue Quinn*
Sheila Wilson*	

**Licensed cosmetologists.*